



## CITY OF ATLANTA

**M. KASIM REED**  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

**JAMES SHELBY**  
Commissioner

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

### STAFF REPORT

September 10, 2014

**Agenda Item:** Applications for Type III Certificates of Appropriateness (CA3-14-240) for a variance to allow a front porch configuration that does not meet the compatibility rule and (CA3-14-250) for a front porch addition at **195 Powell Street**– Property is zoned Cabbagetown Landmark District (Subarea 3).

**Applicant:** Kevin Maher  
4300 Paces Ferry Road

**Facts:** According to the 2002 inventory, this multi-family building was constructed in 1964 and is considered non-contributing.

**Analysis:** The following code sections apply to this application:  
Per Section 16-20.007

- (a) *When Required, Generally:* In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:
  - (3) *Landmark Districts:*
    - (a) To change the exterior appearance of any structure within any Landmark District;
    - (b) To erect any new structure or to make an addition to any structure within a Landmark District;
    - (c) To demolish or move any structure, in whole or in part, within a Landmark District; or

Per Section 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Per Section 16-20A.005. Certificates of appropriateness.

Certificates of appropriateness within this district shall be required as follows:

- (1) *When required:*  
To change the exterior appearance of any portion of a structure within the district
- (2) *Type required:*
  - b) If the proposed alteration for minor façade alterations, fences, walls, accessory structures, decks, paving and satellite dishes meets the requirements of section 16-20A.006, section 16-20A.007, section 16-20A.008, section 16-20A.009, section 16-20A.010, and section 16-20A.011, as applicable, then the director of the commission shall issue the Type II Certificate

Sec. 16-20A.006. General regulations.

The following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) Minimum standards. These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.
- (3) The compatibility rule.
  - a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."
  - b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
  - c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
  - d) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
- (4) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.
- (9) *Minimum lot requirements.* There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule.
- (13) *Design standards and criteria for new principal buildings.* The following regulations shall apply to new construction of principal buildings.
  - a) *General criteria:*
    1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.

2. The general façade organization and proportions shall be subject to the compatibility rule.
3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
  - a. roofs, chimneys, and roofing materials;
  - b. siding;
  - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;
  - d. cornerboards, fascia boards, bottom boards, decorative trim, and attic vents;
  - e. doors and door transoms;
  - f. windows and window transoms;
  - g. porches, including supports, columns, balustrades, steps, and roofs; and
  - h. foundation walls, foundation piers, and water tables.

All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.

4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.

*b) Facades:*

1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of fourteen (14) inches and a maximum of four (4) feet above the surface of the ground adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.
3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
4. Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.

(15) *Alterations and additions to non-contributing buildings.* Alterations and additions to non-contributing buildings shall comply with one of the following:

- a) Alterations and additions shall be consistent with the architectural style of the existing building and the height or width of any alteration or addition shall not exceed the height or width of the existing building, or:
- b) Alterations and additions shall be representative of a single architectural style chosen from those represented by contributing buildings on the block face where the existing non-contributing building is located, shall comply, as applicable, with Design Standards and Criteria for New Principal Buildings, section 16-20A.006(13), and the height or width of any alteration or addition shall not exceed the height or width of the existing building.

**Sec. 16-20A.009. Shotgun and cottage housing (subarea 3).**

In addition to the general regulations required in section 16-20A.006, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the shotgun and cottage housing subarea. These regulations are intended to set forth basic standards of architectural design and construction that are consistent with these original house styles found in the Cabbagetown Landmark District. It is the intent of these regulations to foster residential design that incorporates the historic architectural elements and materials that are specific to the district in a meaningful, coherent manner. The following regulations are intended to achieve basic compatibility with these original architectural styles, rather than designs that are a mere aggregation of random historic elements.

- (1) *Shotgun Housing.* Shotgun housing is a style typified by simple structures whose width is no more than that of one (1) room extending from the front to rear of the structure or, in the case of a double shotgun, two rooms wide. This housing type is usually closely spaced and is found most often along Savannah Street and Berean Avenue within this subarea.
- (3) *Permitted principal uses and structures.* A building or premises shall be used only for the following principal purposes:
  - a) Single-family detached dwellings.
  - b) Two-family dwellings existing at the time of the adoption of these regulations. Two-family dwellings, originally built as duplexes, shall be permitted even if the use has lapsed for more than a year.

- c) Parks, playgrounds, and community buildings owned and operated by a government agency or Cabbagetown-based non-profit community organization.
- (1) *Minimum lot requirements.* In addition to the setback requirements in Section 16-20A.006(9), in no case shall any portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face.
- (2) *Maximum building height and width.* The compatibility rule shall apply.

### **VARIANCE PETITION ADDENDUM**

As a part of our submittal for the Type II Certificate of Appropriateness, we hereby request that the Atlanta Urban Design Commission grant a variance for the following:

**Allow individual decks/porches for the individual residential units on each floor instead one continuous deck/porch across the front façade of the building. The compatibility rule, when looking at the structures on the block face, would require the continuous front decks/porches.**

for the following reasons:

- (1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)?

The existing apartment building, built in 1964, is configured with a central split level entry. There is one residential unit on each side of the central entry on each floor. The main entry door is one-half level off from the first and second levels, and one and one-half level off from the third level.

- (2) How would application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship?

A continuous deck/porch continuous across the front façade of the building would block the main entry door because of the split level entry configuration. A continuous deck on the second level would cross the second floor window and would partially block the window.

- (3) What conditions are peculiar to this particular piece of property?

This residential building is configured with a central split level entry. The finish floor level of the main entry door does not match the finish floor level of the residential units. The main entry door would be blocked by a continuous front deck/porch across the front facade.

- (4) Submit facts to show that relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

We do not believe there are any detriments associated with this variance request. In fact we believe the additions of the decks/porches:

- Bring the 1960's brick apartment building closer to the character of the surrounding structures on the block face by incorporating wood porches with wood columns and wood rails. The new porches would be painted white to match the porches on the block face.
- The new decks/porches move closer to the street and sidewalk, similar to the porches on the block face. This configuration will promote more interaction with the neighborhood.
- The new decks/porches become an outdoor extension of the indoor living space.

### **Variance Justification Response**

The Applicant is proposing a variance to allow the construction of individual porches that do not span the full width of the existing building. In general, Staff finds that Applicant's are allowed to make renovations and additions to existing buildings. The question is whether the addition of porches that meet the regulations would be a hardship. Given the way the current building is configured, Staff finds that having full width porches would not be feasible given the position of the existing windows and main door. Staff finds that the addition of full width porches would block the main entryway and some of the windows.

Staff finds it is not feasible to reconfigure the existing windows and main door. As this is not a historic building, Staff finds the installation of the proposed porches will not create a detriment to the existing building and will not impact any historic fabric. Given the majority of the surrounding properties have porches, Staff finds the addition of porches does not create a public detriment. Given the information we have at this time, Staff does not have a concern with the proposed variance.

### **Setbacks**

Per regulations, allowable setbacks are based on the compatibility rule. In this case, the allowable setbacks would be based on other apartment buildings. The Applicant has not provided any setback information regarding buildings of like use, therefore Staff cannot determine whether the proposed front yard setback meets the regulations. Staff recommends the Applicant provide documentation the proposed setbacks meet the regulations.

### **Alterations**

For non-contributing house, the regulations allow for alterations to either be consistent with the existing building or consistent with contributing houses on the block face. The Applicant is proposing porches that have a hipped roof with asphalt shingles, wood columns and wood railings. The Applicant is also proposing to replace all of the existing metal windows with new wood single and double doors. As this is a non-contributing building, Staff does not have a concern regarding the destruction of historic fabric.

Staff is concerned the proposed porches and fenestration are a mixture between being consistent with the existing architecture and being consistent with the historic houses on the block face. Staff finds the regulations require the proposed alterations to be one or the other. If the proposed alterations are consistent with the existing architecture, the porch elements should be metal and the fenestration pattern could feature double or single doors and a single or double window. If the proposed alterations are consistent with the historic houses on the block face, the porch elements should be wood and the fenestration pattern could feature a single door and either a single or double window. Staff recommends the proposed porches and fenestration are consistent with the existing architecture or consistent with the historic houses on the block face.

On the front façade, the Applicant is proposing to replace an existing center metal window with a larger vinyl window. While Staff has no concerns regarding the design or size of the window, Staff does have concerns regarding the use of vinyl. Staff recommends the new center window on the front façade is metal or wood. On the side façade, the Applicant is proposing to replace all of the existing metal windows and replace them with vinyl windows. As previously indicated, Staff has concerns regarding the use of vinyl windows. Staff recommends the side façade windows are either wood or metal. The Applicant is proposing to replace the existing wood siding with stucco. Staff finds that stucco is an appropriate accent material for this type of building.

**Staff Recommendation:** Based upon the following:

- 1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography);
- 2) The application of the Zoning Ordinance of the City of Atlanta to this piece of property does not create an unnecessary hardship;
- 3) There are conditions peculiar to this property;
- 4) Relief if granted would not cause a substantial detriment to the public good;

Staff recommends approval of the Application for a Type III Certificate (CA3-14-240) for a variance to allow a front porch configuration that does not meet the compatibility rule at **195 Powell Street**– Property is zoned Cabbagetown Landmark District (Subarea 3).

**Staff Recommendation:** Based upon the following:

- (a) The plans meet the regulations per Section 16-20A.006 (14) with the exception of the comments above;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-14-250) for a front porch addition at **195 Powell Street**– Property is zoned Cabbagetown Landmark District (Subarea 3), with the following conditions:

1. The Applicant shall provide documentation the proposed setbacks meet the regulations, per Section 16-20A.006(6);
2. The proposed porches and fenestration shall be consistent with the existing architecture or consistent with the historic houses on the block face, per Section 16-20A.006(15);
3. The new center window on the front façade shall be metal or wood, per Section 16-20A.006(15);
4. The side façade windows shall be wood or metal per Section 16-20A.006(15); and
5. Staff shall review and if appropriate, approve the final plans.



## CITY OF ATLANTA

**M. KASIM REED**  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-031  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

**JAMES SHELBY**  
Commissioner

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

### STAFF REPORT September 10, 2014

**Agenda Item:** Applications for a Type III Certificates of Appropriateness (CA3-14-242) for a variance to allow a public sidewalk that does not meet the district regulations at **641 Killian Street** – Property is zoned R-5/ Grant Park Historic District (Subarea 1)/ Beltline.

**Applicant:** Cohen Fulton Properties, LLC  
2212 Glenridge Lane

**Facts:** According to the Grant Park Inventory sheet the existing house was built in 1914 and is considered contributing.

On July 10, 2014 a Type II Staff Review application (CA2S-14-206) was submitted for the installation of a new sidewalk. As the proposal did not meet the requirements, the application was denied. The current application is for a variance to allow a sidewalk installation that does not meet the requirements.

This application was deferred to allow the Applicant time to submit a variance request and revised plans.

**Analysis:** The following code sections apply to this application:  
Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (1) *General Criteria.*
  - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
  - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
  - c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) *Certificates of Appropriateness.*
  - a. Type I Certificates of Appropriateness for ordinary repairs and maintenance shall not be required in this district. Painting or repainting of any structure, or portion thereof, does not require a Certificate of Appropriateness.
  - b. Type II Certificates of Appropriateness shall be required for: minor alterations to those facades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.

- c. Type III Certificates of Appropriateness shall be required for:
    - 1. All new principal structures
    - 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
  - d. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
- (3) *Subdivisions.* In addition to the requirements of the subdivision and zoning ordinances, including but not limited to sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions of lots shall conform to the historic platting pattern in the district with regard to lot size, dimensions, and configurations.
  - (4) *Tree Preservation and Replacement.* The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.
  - (5) *Paved surfaces.* The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

**Section 16-20K.007. Specific Regulations - Residential Subarea I**

(2) *Architectural Standards.*

- A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

E. *Site development, sidewalks and curbs:*

- 1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
- 2. Repairs or replacement of existing brick sidewalks shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
- 3. Repairs or replacement of concrete sidewalks adjacent to existing brick sidewalks on the same linear block, or in blocks where brick sidewalks are installed, shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
- 4. Sidewalks crossing driveways shall be brick on a concrete base and laid in a pattern to match the existing sidewalk on abutting properties or elsewhere in the district. Driveway aprons shall not interfere with the visual field of the pedestrian path.
- 5. Curbing shall be granite; poured concrete shall not be used. Curbing shall be at least six inches in height from street level.
- 6. Historic materials such as brick, granite, and cobblestones shall be reused where possible.
- 7. All American with Disabilities Act (ADA) Detectable Warning Devices installed in this district shall be a red brick color.



### **Variance Request**

The existing side walk was removed without the appropriate permits. The Applicant is proposing to install a new sidewalk with bricks on a sand or granite dust base. Per regulations, new sidewalks shall be constructed of brick on a concrete base. According to the Applicant, a variance is needed for the following reasons:

1. Putting down both a concrete sidewalk and pavers is like putting two sidewalks in place on top of each other;
2. The reason for pavers is to create not only a historic look but it also provides positive drainage. On top of concrete this cannot occur; and
3. The pavers are a variety of sizes. Placing them into a material where they can be evened out is appropriate. Being on a flat surface will create uneven and unsafe areas.

Staff finds that putting brick on a concrete base is not like installing two sidewalks on top of each other. As there are concrete sidewalks all over the City, Staff is not clear on the Applicant's concerns regarding drainage. Staff suggests the Applicant submit further information regarding drainage concerns. As mortar would be used with the bricks and concrete base, Staff finds the sidewalk can be installed in an even and safe way.

The Applicant submitted an exhibit regarding how to properly install a sidewalk. Staff would note there are several ways to install a sidewalk, including what is proposed by the Applicant. While Staff finds the proposal by the Applicant is an appropriate way to install a sidewalk, Staff finds it does not meet the district requirements. In looking at the responses and documentation submitted, Staff finds the Applicant has not proven that it is a hardship to install the sidewalk based on the district requirements. Based on the information we have at this time, Staff cannot support the requested variance.

**Staff Recommendation:** Based upon the following:

- 1) The plans do not meet the variance criteria, per Section 16-20K.006(3);

Staff recommends denial of the application for a Type III Certificate of Appropriateness (CA3-14-242) for a variance to allow a public sidewalk that does not meet the district regulations at **641 Killian Street** – Property is zoned R-5/ Grant Park Historic District (Subarea 1)/ Beltline.



## CITY OF ATLANTA

M. KASIM REED  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

JAMES SHELBY  
Commissioner

CHARLETTA WILSON JACKS  
Director, Office of Planning

### STAFF REPORT

September 10, 2014

*Updated*

September 24, 2014

*(updated information in italics)*

**Agenda Item:** Review and comment (RC-14-243) for site work and new construction at **2125 Northside Drive (Bitsy Grant Tennis Center)**- Property is zoned R-3.

**Applicant:** American Platform Tennis  
2640 Howell Mill Road

**Facts:** The property is located in NPU C in the Springlake Neighborhood.

*At the September 10<sup>th</sup> meeting, this application was deferred due to the lack of quorum. The Applicant has submitted additional materials in response to the September 10<sup>th</sup> staff report.*

**Analysis:** The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.
- (5) The Commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, high-ways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.
- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.

- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Applicant is proposing to build three new platform tennis courts and a warming hut at the Bitsy Grant Tennis Center. While the site plan indicates the specific location of the proposed tennis courts and warming hut, the site plan does not indicate the proposed changes in the context of the entire site. Staff suggests the Applicant submit a site plan that includes all existing and proposed conditions for the Bitsy Grant Tennis Center.

***As suggested by Staff, the Applicant has submitted a site plan of the entire site. In looking at the proposed courts in context, Staff finds the location is appropriate.***

In general, Staff finds that having tennis courts that can be used during the fall and winter will be a great amenity for the center and the community. Staff finds the overall design, materials and lighting are appropriate and compatible with the existing courts and buildings on the site. The proposed tennis courts are located next to an existing parking lot and adjacent to a proposed PATH trail. Notwithstanding Staff's concerns regarding the location of the proposed tennis courts in the context of the entire site, Staff finds that having a parking lot and trail nearby makes this location highly accessible and appropriate.

In looking at the site plan, the proposed warming hut will be located at the end of the proposed center court. Given the function of the proposed building, Staff finds the location of the warming hut is appropriate. The Applicant does not include elevations for the proposed building. The Applicant has provided pictures of four different examples of possible warming hut designs. Staff would note that the designs and materials are different in each example. It is not clear whether the area that is indicated on the site plan is the definite footprint of the proposed building or just an example of where the building could go. Without a more definitive idea of the size, design and location of the proposed warming hut, Staff suggests the Applicant submit a separate review and comment application when the plans for the proposed building have been finalized.

***As suggested by Staff, the Applicant has submitted a more definitive elevation of the proposed warming hut. Staff finds the overall roof form, materials and design are appropriate. Staff finds the proposed building is consistent and compatible with the existing main clubhouse. Staff does not have concerns regarding the proposed new building. Staff finds a separate review and comment application for the proposed building will not be necessary unless the design changes significantly.***

**Staff Recommendation:** The Commission will deliver comments at the meeting.



## CITY OF ATLANTA

M. KASIM REED  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

JAMES SHELBY  
Commissioner

CHARLETTA WILSON JACKS  
Director, Office of Planning

### STAFF REPORT September 10, 2014

**Agenda Item:** Review and comment (RC-14-244) for demolition of a one story building at **285 Sheridan Drive (aka 2890 North Fulton Drive) (Garden Hills Elementary School)**. Property is zoned R-4.

**Applicant:** David Blumenthal  
4317 Park Drive, Norcross

**Facts:** The existing elementary school is located in the Garden Hills neighborhood in NPU B.

Per Section 6-4043 of the Atlanta City Code:

- (5) The Commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.
- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Applicant is proposing to demolish an existing one story building. In looking at the existing site plan, Staff finds the existing building is located at the southwestern corner of the property at a considerable distance away from the main school buildings. Staff finds the proposed demolition will not have a significant negative impact to the existing historic school buildings. Staff's concern is how the existing building will impact the overall site. There was no information provided regarding the date of construction, the history or the original use of the building. Without knowing more about the building, Staff cannot support its demolition at this time. Staff suggests the Applicant provide additional information regarding the date of construction, the history and the original use of the existing building.

Given the information we have at this time, Staff suggests the Commission deliver its comments at the meeting.



KASIM REED  
MAYOR

**CITY OF ATLANTA**  
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303  
404-330-6145 – FAX: 404-658-7491  
<http://www.atlantaga.gov/Government/Planning.aspx>

JAMES E. SHELBY  
COMMISSIONER

CHARLETTA WILSON JACKS  
DIRECTOR  
Office of Planning

**STAFF REPORT**  
**September 24, 2014**

**Agenda Item:** Application for a Review and Comment (RC-14-246) for a new interpretive and wayfinding system **at various addresses along Auburn Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4).

**Applicant:** Atlanta Downtown Improvement District  
84 Walton Street, Suite 500

**Facts:** The current Auburn Avenue streetscape was designed and built prior to the 1996 Summer Olympic Games. As part of that streetscape, interpretive panels were installed along Auburn Avenue. Fifteen (15) signs were installed, mostly in the eastern end of the corridor that runs from Peachtree Street in Downtown to Old Wheat Street in the Old Fourth Ward.

The proposal before the Commission is to replace the existing CODA panels with new panels, add additional panels in the western portion of the corridor, and install four “gateway markers” at each end of the corridor and at two critical points in between. All of the new and replacement panels and markers will be located on City of Atlanta right of way.

The Staff has participated in some of the earlier meetings of the steering committee that has provided guidance to the project.

**Analysis:** The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

The new system uses a circular motif on both the gateway markers and the interpretive panels themselves. The color coding of the markers and panels (red, gold, orange, and green) refers to four “themes” or geographic locations within the system: urban business, institutional, urban core, and residential. The gateway markers will be 20 ft. tall, while the double-sided interpretive panels will be just over 8 ft. tall.

The Staff finds that the new wayfinding and interpretive system will be much more visually dynamic than the current system, likely attracting more attention to the information found on the panels. Further, given their larger size and unique shape, they will be much easier to find in the urban landscape, likely leading a visitor from a panel or marker to the next one down the street. It would also appear that the interpretive markers will have slightly more panel surface to use for the text, graphics, and photographs than the current panels.

Having not participated in all of the steering committee meetings, the Staff does have some questions and comments about the proposed design of the markers and panels. The Staff acknowledges that these concerns may have already been explored through the steering committee process.

First, the Staff is concerned that given the somewhat more intricate design of the system elements, maintenance and replacement parts might be difficult and/or expensive to acquire. Similarly, if the panel information needs to be updated due to new research or information, it would appear that the entire middle section of the interpretive marker would have to be replaced.

Second, it is not clear if the gateway markers will have any information on them beyond the “Auburn Avenue” text on the base. No sample text is shown on the markers in the submission. Given that the narrative in the submission also refers to them as “project summary signs”, the Staff would expect they would have some information on them.

Third, the residential gateway marker has a wood clad base that would appear to be stained. The Staff would recommend that this be a synthetic material with the appearance of wood and that it be painted. This would help increase the life of the base (more resistant to rot, mower damage, and bleaching in the sun) and the paint treatment would make it more similar to the painted, not usually stained, wood-trimmed houses in the residential portion of the corridor.

Fourth, the Staff noted that one of the reference photographs of the existing CODA panels shows it mounted into the “script strip” in the sidewalk. Given the new shape and size of the panel base, the Staff assumes that at least in this case, the piece of granite with the two post holes will have to be replaced once the CODA sign is removed.

Even with these concerns, the Staff finds that the new interpretive and wayfinding system adds an exciting visual element to the Auburn Avenue corridor.

**Staff Recommendation:** The Staff recommends that the Commission confirm that it has delivered its comments to the Applicant at the Commission meeting regarding an Application for a Review and Comment (RC-14-246) for new interpretive and wayfinding signage **at various addresses along Auburn Avenue** - Property is zoned Martin Luther King, Jr. Landmark District.



## CITY OF ATLANTA

M. KASIM REED  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

JAMES SHELBY  
Commissioner

CHARLETTA WILSON JACKS  
Director, Office of Planning

### STAFF REPORT

September 10, 2014

*Updated*

September 24, 2014

*(updated information italics)*

**Agenda Item:** Application for a Type III Certificates of Appropriateness (CA3-14-247) for a variance to allow parking and a six foot tall privacy fence/wall in the Pavilion Street front yard at **405 Georgia Avenue (aka 0 Georgia Avenue)** - Property is zoned R-5/Grant Park Historic District (Subarea 1).

**Applicant:** Michael Dryden  
398 Grant Park Place

**Facts:** On August 8, 2013, the Commission approved a Type III Certificate of Appropriateness (CA3-13-201) for a new single family house.

*At the September 10<sup>th</sup> meeting, this application was deferred due to a lack of quorum. The Applicant submitted updated information on September 16<sup>th</sup>.*

**Analysis:** The following code sections apply to this application:

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

(2) Certificates of Appropriateness.

(B) Type III Certificates of Appropriateness shall be required for:

1. All new principal structures;

(3) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.

#### **Section 16-20K.007. Specific Regulations - Residential Subarea I**

(1) *Development Controls.*

a. *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.

b. *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven (7) feet.



- c. *Rear Yard:* Rear yard setback shall be seven (7) feet.
- d. *Off-street parking and driveway requirements:*
  - 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
  - 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
  - 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten (10) feet wide and shall have a maximum curb cut of ten (10) feet, exclusive of the flare.

(2) *Architectural Standards.*

- A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

B. *Design Standards and Criteria for New Principal Structures.*

- 1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
  - 10. Any facades that face a public street shall consist of fenestration that is either:
    - 1) substantially consistent with fenestration on contributing structures of like use in the district, or
    - 2) shall be no less than 15% and no greater than 40% of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed twenty-eight (28) square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed sixteen (16) square feet.
  - 14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:
    - a. Fences not exceeding four (4) feet in height may be erected in a front yard. Fences not exceeding six (6) feet in height may be erected in a half-depth front yard. Other than retaining walls, walls shall not be erected in a front yard or half-depth front yard.
    - b. Fences and walls not exceeding six (6) feet in height may be erected in the side or rear yards.
    - c. In a half-depth front yard, when a fence exceeds four (4) feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three (3) feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
    - d. The finish side or front side of one-sided fences shall face the public street.
  - 15. On those facades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
    - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.

- e. Special exceptions on greater height of walls or **fences** in required yards: The board of zoning adjustment may grant special exceptions in any district for greater heights only upon finding that:

- 1. Such wall or **fence** is justified by reason of security or privacy and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the character of the neighborhood;
- 2. Such greater height is justified by requirements for security of persons or property in the area;

3. Such greater height is justified for topographic reasons; or
4. Such greater height, in the yard or yards involved, is not incompatible with the character of the surrounding neighborhood.

### **Special Exception for a Fence/Wall**

The Applicant is proposing to install a 6' privacy fence on the Pavilion Street elevation. The Applicant submitted a variance addendum, however a 6' privacy fence requires a special exception. In looking at the specific documentation submitted by the Applicant, Staff finds the special exception criteria have not been adequately addressed. Staff recommends the Applicant provide further documentation regarding the request for a 6' privacy fence using the special exception criteria.

*As recommended by Staff, the Applicant has submitted additional information as it relates to the special exception request. The Applicant has indicated that four of the fifteen buildings on the block have similar privacy fences. Staff would note that at least one of the existing fences was not approved by the Urban Design Commission and does not have a permit. Without knowing all of the addresses where similar fences exist, Staff cannot confirm the existing privacy walls have been properly approved and permitted. As such, Staff cannot confirm that such greater height is not incompatible with the surrounding neighborhood.*

*As part of the updated submittal, the Applicant included information regarding vehicle larceny, auto theft, residential burglary and a recent Grant Park security update. In looking at the information submitted, it appears there are significant crime issues in the area. Staff finds the Applicant has provided documentation that such greater height is justified for security reasons.*

*Staff would note that a privacy fence is actually a wall and not allowed in the front or half depth front yard. Staff would further note that while the height increase is a special exception issue, the wall is a variance issue. While Staff finds the Applicant has proven that a 6' high fence is needed due to the security issue, Staff finds the Applicant has not shown why a wall is needed. In looking at the original variance justification submitted by the Applicant, Staff finds the Applicant has not proven that it is a hardship to have a 6' fence instead of a 6' wall. Staff recommends a 6' fence is installed instead of a 6' privacy wall.*

In addition to Staff's general concerns regarding the special exception criteria, Staff has concerns regarding the site plan in general. It appears the site plan indicates work that was previously approved or was not indicated as part of the scope of work. It is not clear whether the site plan only deals with the parking and fencing or whether there is also a revision to the previously approved plans. Staff recommends the Applicant submit a site plan that only addresses the proposed parking and proposed privacy fence.

***Staff retains its recommendation.***

If the special exception is approved, Staff has concerns regarding the proposed location of the privacy fence. Staff finds the privacy fence does not have to be located right at the side walk. Staff suggests the privacy wall is located a few feet from the Pavilion Street property line. In looking at the west property line, it appears that a portion of the fence will be located over the property line and on the adjacent property. Staff would note that the proposed fence must be located completely on the lot in question and not on any other property. Staff recommends the proposed privacy fence is located within the property lines of the subject property.

***Staff retains its suggestions and recommendations.***

**Variance for Parking**

As this is a double frontage lot, any parking in the front or rear of the existing house would be considered parking in the front yard. Given the width of the existing house, there is no room to install a driveway on the side of the house that would allow parking out of the front yard. As off street parking is allowed and the existing lot is unusual in regards to having two front yards, Staff does not have concerns regarding the proposed parking variance.

**Staff Recommendation:** Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type III Certificate of (CA3-14-247) for a variance to allow parking and a six foot tall privacy fence/wall in the Pavilion Street front yard at **405 Georgia Avenue (aka 0 Georgia Avenue)** - Property is zoned R-5/Grant Park Historic District (Subarea 1), with the following conditions:

1. A 6' fence is installed instead of a 6' privacy wall, per 16-20K.007(2)(B)(15)(f);
2. The Applicant shall submit a site plan that only addresses the proposed parking and proposed privacy fence;
3. The proposed fence shall be located within the property lines of the subject property; and
4. Staff shall review and if appropriate, approve the final plans.



## CITY OF ATLANTA

**M. KASIM REED**  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

**JAMES SHELBY**  
Commissioner

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

### STAFF REPORT September 10, 2014

**Agenda Item:** Application for Type a III Certificate of Appropriateness (CA3-14-248) for alterations and an addition at **820 Oakdale Rd**– Property is zoned Druid Hills Historic District.

**Applicant:** David Ogram  
1708 Peachtree Street

**Facts:** According to the architectural survey in 2002, this dwelling built in 1927 is contributing.

**Analysis:** The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code:

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(3) Landmark buildings and sites:

(b) To change the exterior appearance of any structure within any Landmark District;

Per Section 16-20B.003 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to the entire district which includes both (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale/Oakdale/Lullwater.. Any proposed development shall require a certificate of appropriateness from the urban design commission and shall conform to the following regulations:

- (5) *Minimum architectural controls:* Any construction in the Druid Hills District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district.

Exterior architectural changes shall follow the standards set forth by the secretary of the interior. The secretary of the interior's standards for historic preservation projects are designed to assist individual property owners formulate plans for the development and continued use of historic properties. Separate guidelines are given for each of seven (7) treatments. (Refer to the Secretary of the Interior's Standards of Historic Preservation Projects.)

### **Rear Porch Enclosure**

The Applicant is proposing to expand the existing kitchen by enclosing the existing screened porch. There are no pictures of the rear elevation, therefore Staff cannot determine what the existing conditions are or whether any historic materials will be negatively impacted. Staff recommends the Applicant submit pictures of the rear elevation. In general, Staff finds the location, design, materials and fenestration on the rear elevation addition are appropriate. Given the location of the proposed alterations, Staff finds the rear alterations will not be seen from the street and will not have a negative impact on the exiting streetscape. While Staff finds the rear alterations are generally appropriate, Staff finds that additional information is needed to recommend approval.

**Staff Recommendation:** Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends approval of the Application for Type III Certificate of Appropriateness (CA3-14-248) for alterations and an addition at **820 Oakdale Rd**– Property is zoned Druid Hills Historic District, with the following conditions:

1. The Applicant shall provide additional information regarding the replacement of the existing window and the enlargement of the window opening on the south elevation, per Section 16-20B.003(5);
2. The Applicant shall submit pictures of the north elevation and information regarding the installation of the new window on the north elevation, per Section 16-20B.003(5);
3. All new windows shall be wood and true divided lite, per Section 16-20B.003(5);
4. The Applicant shall submit pictures of the rear elevation, per Section 16-20B.003(5); and
5. Staff shall review and if appropriate, approve the final plans.



## CITY OF ATLANTA

**M. KASIM REED**  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

**JAMES SHELBY**  
Commissioner

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

### STAFF REPORT

July 9, 2014

**Agenda Item:** Applications for Type III Certificates of Appropriateness (CA3-14-192) for a variance to change the block face for the purposes of compatibility comparisons and (CA3-14-185) for a new single family house at **606 Picket Street (aka 0 and 209 Savannah Street)** – Property is zoned Cabbagetown Landmark District (Subarea 3).

**Applicant:** Paul Bolster  
193 Tye Street

**Facts:** According to the 2002 inventory, this is a vacant lot.

**Analysis:** The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code:

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(3) Landmark buildings and sites:

(b) To change the exterior appearance of any structure within any Landmark District;

**Sec. 16-20A.005. Certificates of appropriateness.**

Certificates of appropriateness within this district shall be required as follows:

(1) *When required:*

(b) To erect a new structure or to make an addition to any structure within the district;

**Sec. 16-20A.006. General regulations.**

The following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

(1) *Minimum standards.* These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.

(2) *The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.*

(3) *Applications.* Materials necessary for complete review of an application shall be submitted with the application as set forth by the director. In addition, a scaled site plan showing all improvements, photographs of existing conditions and adjoining properties, and elevation drawings of all improvements shall be submitted for all Type III Certificate of Appropriateness applications. For new construction of a principal building, the application

shall also include a scaled drawing showing all front yard setbacks, heights of, and widths of, and the distances between all existing buildings on the block face, along with those of the proposed structure.

- (4) *Additional notification.* The applicant shall be given contact information for interested Cabbagetown community organizations and shall be directed to provide the organization with a copy of the submitted application and attachments within three (3) days of submission to the commission.

- (5) *Cabbagetown design guidelines.* The commission shall adopt and maintain guidelines, referred to herein as the Cabbagetown Design Guidelines. These guidelines shall: further the intent of these regulations; further define elements of architectural style and applicability; provide important additional detailed information regarding the construction and renovation of historic buildings; and be used as a guide to ensure the compatibility of future development in the Cabbagetown Landmark District.

- (6) *The compatibility rule.*

- a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."
- b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
- c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
- d) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."

- (7) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.

- (9) *Minimum lot requirements.* There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule.

- (13) *Design standards and criteria for new principal buildings.* The following regulations shall apply to new construction of principal buildings.

a) *General criteria:*

1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
2. The general façade organization and proportions shall be subject to the compatibility rule.
3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
  - a. roofs, chimneys, and roofing materials;
  - b. siding;
  - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;
  - d. cornerboards, fascia boards, bottom boards, decorative trim, and attic vents;
  - e. doors and door transoms;
  - f. windows and window transoms;
  - g. porches, including supports, columns, balustrades, steps, and roofs; and
  - h. foundation walls, foundation piers, and water tables.

All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.

4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.

b) *Facades:*

1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of fourteen (14) inches and a maximum of four (4) feet above the surface of the ground

adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.

3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
4. Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.

c) *Roofs:*

1. The shape and pitch of roofs, as well as ridge, dormer, overhang, and soffit construction shall meet the compatibility rule.
2. Skylight and solar panels are not permitted on the front façade of any structure. "Bubble type" skylights are not permitted anywhere in the Cabbagetown Landmark District. The placement and design of flat profile skylights and/or solar panels, where permitted, shall minimize their ability to be seen from public right of way(s) and is subject to approval by the commission.
3. When chimneys are included, chimneys shall be faced in brick, originate at grade and are subject to approval by the commission.
4. Boxed gable returns are not permitted.
5. Roofing material shall be asphalt shingles. Fiberglass roofs are not permitted. Flat-roofed structures or structures not visible from any public right of way may use any roof covering that conforms to standard architectural specifications.

e) *Porches:*

1. Front porches shall contain balustrades, columns, and have other characteristics, including floor dimension, height, roof pitch, overhang, and column size that meet the compatibility rule.
2. Decorative metal, resin, fiberglass and plastic columns are not permitted.
3. Porches may be enclosed with recessed screen wire if the main characteristics of the porch are maintained.
4. Front porch steps shall be made of wood, brick, or concrete. Metal steps are not permitted.

f) *Site development, sidewalks and curbs:*

1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
2. Sidewalks shall be brick on a concrete base and laid in a pattern to match existing on abutting properties or elsewhere in the district.
3. Curbing shall be granite; poured concrete shall not be used.
4. A paved walkway from the front public sidewalk to the front entry of the principal building shall be provided.

(19) *Off-street and off-site parking.*

- a) All new construction, change in use, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential or multifamily shall include off-street parking.
- b) The number of required parking spaces is set out in each subarea.
- c) Variances may be allowed from this requirement subject to the standard procedures and requirements for a variance found in these regulations.
- d) Off-street parking may be located in a rear or side yard.
- k) Use of shared driveways and/or alleys is encouraged.
- l) The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.

**Sec. 16-20A.009. Shotgun and cottage housing (subarea 3).**

In addition to the general regulations required in section 16-20A.006, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the shotgun and cottage housing subarea. These regulations are intended to set forth basic standards of architectural design and construction that are consistent with these original house styles found in the Cabbagetown Landmark District. It is the intent of these regulations to foster residential design that incorporates the historic architectural elements and materials that are specific to the district in a



meaningful, coherent manner. The following regulations are intended to achieve basic compatibility with these original architectural styles, rather than designs that are a mere aggregation of random historic elements.

- (1) *Shotgun Housing.* Shotgun housing is a style typified by simple structures whose width is no more than that of one (1) room extending from the front to rear of the structure or, in the case of a double shotgun, two rooms wide. This housing type is usually closely spaced and is found most often along Savannah Street and Berean Avenue within this subarea.
- (2) *Cottage Housing.* Cottage housing is a mixed housing style that includes central aisle houses, L-plan cottages, Victorian cottages, worker's cottages, one and a half story duplexes, bungalows, and other residential structures, modest in scale, that are characterized by common setbacks, repetitive porch and facade features, and consistent structure massing.
- (3) *Permitted principal uses and structures.* A building or premises shall be used only for the following principal purposes:
  - a) Single-family detached dwellings.
  - b) Two-family dwellings existing at the time of the adoption of these regulations. Two-family dwellings, originally built as duplexes, shall be permitted even if the use has lapsed for more than a year.
  - c) Parks, playgrounds, and community buildings owned and operated by a government agency or Cabbagetown-based non-profit community organization.
- (6) *Minimum lot requirements.* In addition to the setback requirements in Section 16-20A.006(9), in no case shall any portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face.
- (7) *Maximum building height and width.* The compatibility rule shall apply.
- (8) *Floor area ratio.* The floor area ratio shall not exceed 0.50.
- (9) *Roofs.*
  - a) Roofing materials shall be asphalt shingles or batten seamed metal.
  - b) Metal shingles are permitted if they are appropriate to the house style.
- (12) *Porches.*
  - a) Decks shall be permitted on the side or rear of the house if not visible from the street.
  - b) Rear decks shall be no wider than the house.
  - c) Side and rear porches shall be permitted if appropriate to the house style.
- (13) *Fencing and walls.*
  - a) Walls are not permitted in a front yard, or a side yard adjacent to a public right of way.
  - b) Variances for the height of walls or fences may be granted by the commission.
  - c) Walls shall be constructed of wood.
- (14) *Driveways and surface parking areas.*
  - a) One parking space per dwelling unit shall be required for all new construction or changes in use.
  - b) Driveways shall not exceed ten (10) feet in width and shall have a curb cut no more than ten (10) feet, exclusive of flair.
    - a) At least one-third of any driveway or surface parking area shall be pervious.
    - b) Poured concrete paving for driveways shall consist of two ribbons for tire tracks separated by a planting strip.
    - c) Alternate paving materials may be approved upon review by the commission if such materials are pervious and do not detract from the historic character of the landmark district.

### **Variance Petition**

The Applicant is requesting a variance to use Berean as point of comparison. According to the Applicant a different block face should be used because the lot in question is on a corner and there are seven adjacent properties that are non-contributing. In looking at the block face in question, there are 22 lots. Of the 22 lots, 11 lots contain contributing houses. The block face in question has the following contributing houses: Gable Wing, Saddlebag, Shotgun, Georgian Cottage and a Central Hall Cottage. Given the number and variety of contributing houses on the block face, Staff finds there is no hardship in using the existing block face. Staff finds the fact that this is a corner lot is not particularly unusual and is not a hardship. The fact that the other corner lot on the block face has an unusual shape does not create a hardship for the lot in question. Given the information we have at this time, Staff cannot support the proposed variance.

### **Comparison Analysis**

The Applicant submitted a comparison analysis that uses 145 Berean. As Staff does not support the variance to move the comparison block face, Staff finds a new comparison analysis must be done for the contributing houses on the Savannah Street block face. In additional information requested by the neighborhood, the Applicant submitted information regarding the style, width and height of some of the contributing houses on Savannah Street. Staff has a concern regarding the Savannah Street comparisons. According to the Applicant, the houses at 139, 141 and 143 Savannah are Shotgun houses with a side shed. Staff finds the houses at 139, 141 and 143 Savannah are actually Saddlebags and therefore should be treated as cottages as opposed to Shotguns.

Staff would note the Shotgun houses on the block face are significantly taller than the Saddlebags. The Applicant is essentially proposing a Saddlebag design with the height of a Shotgun house. Per regulations, the Applicant shall choose one house style on the block face in which to make all points of comparison. Staff finds the Applicant is mixing the comparisons of two different types of houses. In looking at the overall height, design and details of the existing house, Staff finds that either the project needs to be redesigned or additional variances for the height and width may be required. Given the information we have at this time, Staff finds the application should be deferred. Staff recommends the Applicant provide a comparison analysis of the contributing houses on Savannah Street. Staff recommends the project be redesigned to meet the requirements.

**Staff Recommendation:** Based upon the following:

- 1) There are no extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography);
- 2) The application of the Zoning Ordinance of the City of Atlanta to this piece of property does not create an unnecessary hardship;
- 3) There are no conditions peculiar to this property;
- 4) Relief if granted would not cause a substantial detriment to the public good;

Staff recommends denial of the Application for a Type III Certificate (CA3-14-192) for a variance to change the block face for the purposes of compatibility comparisons at **606 Picket Street (aka 0 and 209 Savannah Street)** – Property is zoned Cabbagetown Landmark District (Subarea 3).

**Staff Recommendation:** Based upon the following:

- (a) The plans do not meet the regulations per Section 16-20A.006 (14) with the exception of the comments above;

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-14-185) for a new single family house at **606 Picket Street (aka 0 and 209 Savannah Street)** – Property is zoned Cabbagetown Landmark District (Subarea 3), to address the following concerns of Staff:

1. The Applicant shall provide a comparison analysis of the contributing houses on Savannah Street, per Section 16-20A.006;
2. The project shall be redesigned to meet the requirements, per Section 16-20A.006; and
3. Appropriate copies of all updated information and plans must be submitted no later than eight days before the deferred meeting.



## CITY OF ATLANTA

**M. KASIM REED**  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

**JAMES SHELBY**  
Commissioner

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

### STAFF REPORT September 24, 2014

**Agenda Item:** Application for a Type II Certificate of Appropriateness (CA2-14-249) for alterations at **1251 Greenwich Street**- Property is zoned R-4A/West End Historic District.

**Applicant:** Warren Anderson  
1251 Greenwich Street

**Facts:** This property was built from 1907-1908 and is considered contributing.

In 2010 an application for a Type III Certificate of Appropriateness (HD-09-228) to allow an addition and renovations was approved with the following conditions:

1. The Applicant shall submit accurate site plans that indicate the existing and proposed conditions;
2. The roof shall be drawn accurately; and
3. Staff shall review and if appropriate, approve the final plans.

**Analysis:** The following code sections apply to this application:  
Per Section 16-20G.005 of the Atlanta Land Development Code, as amended:  
The following general regulations shall apply to the West End Historic District.

#### **Sec. 16-20G.005. - General regulations.**

(2) *The Compatibility Rule:* The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

#### **Sec. 16-20G.006. - Specific regulations.**

In addition to the general regulations set forth in section 16-20G.005, and any other applicable regulations, the following regulations shall apply to all rehabilitations, new construction, alterations, and other changes:

(1) *Generally*: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.

(2) *Building Façades*:

(a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.

(b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.

(c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.

(d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.

(e) Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.

(f) Height of the first floor of the front façade above grade shall be subject to the compatibility rule. Notwithstanding the compatibility rule, the first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted.

(g) No structure shall exceed that height established by the compatibility rule.

(3) *Windows and Doors*:

(a) Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.

(b) Original window and door openings shall not be blocked or enclosed, in whole or in part.

(c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.

(d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.

(e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.

(f) Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.

(g) New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.

(h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.

(i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.

(j) New windows or doors added to existing structures shall be located façades that don't face a public street.

(k) New or replacement doors shall be made of wood and shall contain a rectangular light opening subject to the compatibility rule as to its scale, size, proportion placement, and style to original doors within that block face.

(4) *Storm Doors, Storm Windows, Shutters and Awnings:*

(a) Shutters shall not be added to the building if they were not a part of the original building.

(b) Shutters shall be operable or appear operable, and shall fit the size of the window.

(c) Replacement shutters shall match the original shutters in design, materials and configuration.

(d) Storm doors, screen doors or storm windows shall be of compatible design and shall not cover, obscure or dominate significant architectural details.

(e) Fabric and metal awnings are permitted. All other types of canopies and awnings are prohibited.

(5) *Foundations:*

(a) Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.

(b) New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials and style with adjacent and surrounding buildings.

(c) Slab on grade is not permitted.

(d) Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.

(6) *Chimneys:*

(a) Chimneys shall match original materials, mortar, color and pattern whenever possible.

(b) New chimneys shall be faced with brick or stucco.

(c) Siding on chimneys is prohibited.

(d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.

(7) *Roofs:*

(a) Replacement roofing materials shall be of the same size, texture and material as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.

(b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.

(c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.

(d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule.

(9) *Porches:*

(a) Architecturally significant porches, including their component features, steps and stoops shall be retained.

(b) Replacement porches, steps and stoops shall match the original in size, style and materials. All front porch steps shall have closed risers and ends.

(c) Porches may be enclosed with screen wire or glass provided that the main characteristics of a front porch are maintained.

(d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.

(17) *Public Sidewalks and Planting Strips:*

(a) Existing public sidewalks, planting strips, and associated topography shall be retained.

(b) The public sidewalk shall be the same width as the sidewalk on abutting properties.

(c) The compatibility rule shall apply to public sidewalk paving materials.

(d) Where a public sidewalk to be replaced is adjacent to poured concrete, original concrete hexagonal pavers or poured concrete with stamped hexagonal motif, the new sidewalk shall be poured concrete bordered with brick laid flat.

The Commission reviews alterations to any structure within the district, when said alterations can be seen from the public right-of-way. This is a corner lot, therefore the proposed alterations will be highly visible.

Although not indicated in the narrative, it appears the existing rear addition has either been altered or it was demolished and re-built. Staff would note that the elevation depicting the addition does not match what is shown in the pictures. The addition appears taller than what is shown in the pictures submitted. Staff recommends the Applicant clarify what has already been done and what is proposed for the rear addition.

The Applicant is proposing to replace the existing historic siding. It is not clear from the pictures submitted that all of the siding must be replaced. While Staff does not have concerns with the replacement material, Staff recommends the Applicant provide additional documentation regarding the existing condition of the siding.

The Applicant is proposing to remove an existing historic window and install a new smaller window. While Staff finds the proposed design of the window is appropriate, it is not clear why the historic window is being removed and the original opening made smaller. Staff recommends the Applicant provide justification regarding the proposed change to the right elevation window.

---

**Staff Recommendation:** Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends approval of the Application for Type II Certificate of Appropriateness (CA2-14-249) for alterations at **1251 Greenwich Street**- Property is zoned R-4A/West End Historic District, with the following conditions:

1. The Applicant shall clarify what has already been done and what is proposed for the rear addition;
2. The Applicant shall provide additional documentation regarding the existing condition of the siding;
3. The Applicant shall provide justification regarding the proposed change to the right elevation window; and
4. Staff shall review and if appropriate, approve the final plans.



## CITY OF ATLANTA

**M. KASIM REED**  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

**JAMES SHELBY**  
Commissioner

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

### STAFF REPORT September 24, 2014

**Agenda Item:** Application for a Type III Certificates of Appropriateness (CA3-14-252) for alterations and additions at **184 Berean Avenue**– Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline.

**Applicant:** Carolyn Jordan-White  
828 Virgil Street

**Facts:** According to the 2002 inventory, this single family dwelling was built before 1899 and is considered contributing.

**Analysis:** The following code sections apply to this application:  
Per Section 16-20.007

- (a) *When Required, Generally:* In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:
  - (3) *Landmark Districts:*
    - (a) To change the exterior appearance of any structure within any Landmark District;
    - (b) To erect any new structure or to make an addition to any structure within a Landmark District;
    - (c) To demolish or move any structure, in whole or in part, within a Landmark District; or

Per Section 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Per Section 16-20A.005. Certificates of appropriateness.

Certificates of appropriateness within this district shall be required as follows:

- (1) *When required:*  
To change the exterior appearance of any portion of a structure within the district
- (2) *Type required:*
  - b) If the proposed alteration for minor façade alterations, fences, walls, accessory structures, decks, paving and satellite dishes meets the requirements of section 16-20A.006, section 16-20A.007, section 16-20A.008, section 16-20A.009, section 16-20A.010, and section 16-20A.011, as applicable, then the director of the commission shall issue the Type II Certificate

Sec. 16-20A.006. General regulations.

The following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) Minimum standards. These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.
- (3) The compatibility rule.
  - a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."
  - b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
  - c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
  - d) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
- (4) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.
- (9) *Minimum lot requirements.* There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule.
- (13) *Design standards and criteria for new principal buildings.* The following regulations shall apply to new construction of principal buildings.
  - a) *General criteria:*
    1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.



2. The general façade organization and proportions shall be subject to the compatibility rule.
3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
  - a. roofs, chimneys, and roofing materials;
  - b. siding;
  - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;
  - d. cornerboards, fascia boards, bottom boards, decorative trim, and attic vents;
  - e. doors and door transoms;
  - f. windows and window transoms;
  - g. porches, including supports, columns, balustrades, steps, and roofs; and
  - h. foundation walls, foundation piers, and water tables.

All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.

4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.

b) *Facades:*

1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of fourteen (14) inches and a maximum of four (4) feet above the surface of the ground adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.
3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
4. Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.

- (14) *Design standards for alterations and additions to contributing buildings.* Alterations and additions to contributing buildings shall be subject to design review by the commission and shall be consistent with and reinforce the historic architectural character of the existing building, shall comply with the appropriate regulations for new construction set forth in section 16-20A.006(13), and shall comply with the following requirements:

- a) All repair work shall match the original materials regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade.
- b) All replacement materials or building elements shall match the original materials or building elements regarding design, size, dimension, scale, materials, location on the building, orientation, pitch, reveal and amount of projection from the façade.
- c) Alterations shall not introduce materials or building elements that do not reinforce the architectural character of the building and shall not destroy historic materials that characterize the property.
- d) The height or width of any alteration or addition shall not exceed the height or width of the existing building.
- e) Any alterations or additions shall be compatible with the massing, scale and architectural features of the property.

**Sec. 16-20A.009. Shotgun and cottage housing (subarea 3).**

In addition to the general regulations required in section 16-20A.006, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the shotgun and cottage housing subarea. These regulations are intended to set forth basic standards of architectural design and construction that are consistent with these original house styles found in the Cabbagetown Landmark District. It is the intent of these regulations to foster residential design that incorporates the historic architectural elements and materials that are specific to the district in a meaningful, coherent manner. The following regulations are intended to achieve basic compatibility with these original architectural styles, rather than designs that are a mere aggregation of random historic elements.

- (1) *Shotgun Housing.* Shotgun housing is a style typified by simple structures whose width is no more than that of one (1) room extending from the front to rear of the structure or, in the case of a double shotgun, two rooms wide. This housing type is usually closely spaced and is found most often along Savannah Street and Berean Avenue within this subarea.
- (2) *Cottage Housing.* Cottage housing is a mixed housing style that includes central aisle houses, L-plan cottages, Victorian cottages, worker's cottages, one and a half story duplexes, bungalows, and other residential structures,

modest in scale, that are characterized by common setbacks, repetitive porch and facade features, and consistent structure massing.

- (3) *Permitted principal uses and structures.* A building or premises shall be used only for the following principal purposes:
  - a) Single-family detached dwellings.
  - b) Two-family dwellings existing at the time of the adoption of these regulations. Two-family dwellings, originally built as duplexes, shall be permitted even if the use has lapsed for more than a year.
  - c) Parks, playgrounds, and community buildings owned and operated by a government agency or Cabbagetown-based non-profit community organization.
- (6) *Minimum lot requirements.* In addition to the setback requirements in Section 16-20A.006(9), in no case shall any portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face.
- (7) *Maximum building height and width.* The compatibility rule shall apply.
- (8) *Floor area ratio.* The floor area ratio shall not exceed 0.50.
- (9) *Roofs.*
  - a) Roofing materials shall be asphalt shingles or batten seamed metal.
  - b) Metal shingles are permitted if they are appropriate to the house style.
- (12) *Porches.*
  - a) Decks shall be permitted on the side or rear of the house if not visible from the street.
  - b) Rear decks shall be no wider than the house.
  - c) Side and rear porches shall be permitted if appropriate to the house style.

### **Site**

The Applicant is proposing a side and rear addition. Per regulations, the side and rear yard setbacks are based on the compatibility rule. The Applicant did not provide information regarding the side and rear yard setbacks on the block face. Staff recommends the Applicant provide documentation the proposed setbacks meet the requirements. The Applicant did not submit properly scaled plans. Staff recommends the Applicant submit a properly scaled site plans that indicates all proposed conditions. Per regulations, the maximum floor area ratio (FAR) allowed is .50. The proposed FAR is .25 and therefore meets the requirements. Staff would note there are no lot coverage requirements in this subarea.

### **Documentation**

There are no notes on the plans regarding the proposed alterations. It is important to know what is proposed for the existing siding, windows, trim, etc. Staff would also note that while work is proposed on the rear of the house, a rear elevation was not submitted. Staff recommends the Applicant submit elevations for all facades with detailed notes on all the proposed alterations, additions and material. In comparing the elevations, floor plans and site plan, there appears to be a new stair and stoop on the side elevation. Staff finds the proposed stoop is not indicated on the site plan and is not accurately depicted on the elevations. Staff recommends the site plan, elevations and floor plan are internally consistent. In looking at the pictures of the existing conditions, it appears there are several different types of windows. Given the age and type of house, Staff finds it likely the original windows are two over two windows. All of the existing windows and doors are not clear in the pictures. Staff recommends the Applicant submit additional pictures of the existing windows and doors.

### **Alterations and Additions**

The Applicant is proposing additions to both side elevations and the rear elevation. While Staff finds the overall size and design of the additions are appropriate, Staff has concerns regarding the details, retention of historic materials and differentiation between the historic house, existing additions and the proposed additions. Staff recommends the Applicant clarify the details of the proposed alterations and additions, how the significant historic materials will be retained and how the original historic house, the previous addition and the proposed addition will be differentiated from one another.

While not notated on the plans, it appears the Applicant is proposing to remove the front porch roof, the existing metal awning and the porch railing. Staff finds the existing porch roof, metal awning and railing are not original and are not historically significant features of the house. As such, Staff has no concerns regarding the removal of the existing porch roof, metal awning or porch railing. In looking at other similar historic houses on the block face, the proposed hipped roof is consistent and compatible with those houses. The Applicant is also proposing to add a gable vent. Staff has no concerns regarding the addition of a gable vent. Staff finds the proposed changes to the front porch are highly appropriate and meet the requirements.

**Staff Recommendation:** Based upon the following:

- (a) The plans minimally meet the regulations per Section 16-20A.006 (14) with the exception of the comments above;

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-14-252) for alterations and additions at **184 Berean Avenue**– Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline, to allow the Applicant to address the following concerns of Staff:

1. The Applicant shall provide documentation the proposed setbacks meet the requirements, per Section 16-20A.006(6);
2. The Applicant shall submit a properly scaled site plans that indicates all proposed conditions;
3. The Applicant shall submit elevations of all facades with detailed notes on all the proposed alterations, additions and materials;
4. The site plan, elevations and floor plan shall be internally consistent;
5. The Applicant shall submit additional pictures of the existing windows and doors;
6. The Applicant shall clarify the details of the proposed alterations and additions;
7. The Applicant shall clarify how the significant historic materials will be retained;
8. The elevations shall indicate clear differentiation between the original house, the existing additions and the proposed additions; and
9. Staff shall review and if appropriate, approve the final plans.



## CITY OF ATLANTA

M. KASIM REED  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

JAMES SHELBY  
Commissioner

CHARLETTA WILSON JACKS  
Director, Office of Planning

### STAFF REPORT September 24, 2014

Review and Comment (RC-14-255) for additions and site work at **1305 Oakland Drive (Rev. James Orange Park)** - Property is zoned R-5.

Applicant: David Freedman, Freedman Engineering  
1000 Whitlock Avenue, Suite 320, Marietta

**Facts:** The existing park has frontage on Oakland Drive and Epworth Street in the Oakland City neighborhood. The park is not located within the locally designated Oakland City Historic District.

In May, 2013, the Commission reviewed and commented on a proposed Master Plan for the park, as well as Phase I of the master plans implementation. Phase I included the demolition of the then existing pool, bath house, equipment house, associated fences and hardscape. In looking at pictures of the existing conditions at that time, the area appeared to be abandoned and in disrepair.

The Master Plan showed that the new pool would be located north of the existing pool and partially surrounded by the proposed recreation center. Further, the Master Plan showed that once the pool and associated buildings are demolished, a parking lot, walkways, retaining walls and playground will be installed. It was not clear at that time what kind of playground is proposed, whether there will be equipment and what ages would be appropriate for that area. Staff had some concerns about having a playground so close to the parking lot. According to the narrative, concrete walkways, benches and planted areas would act as a buffer between the playground and the parking area.

Before the Commission at this time is the proposed design of the new pool area, playground area, and parking lot areas.

**Analysis:** The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.
- (5) The Commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, high-ways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on

land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

### Site Plan Comments

As noted in its Master Plans comments, the Staff is still concerned about the proximity of the playground to the parking lot. Between the playground and the parking lot appears to only be a concrete sidewalk, with no fencing or landscaping. Apart from creating a potential safety hazard from children running into the parking lot, the Staff is concerned that this proximity will diminish the usability and comfort of the playground with idling cars so close. Looking across the playground to the east, one will see a row of parked cars.

Also, it is not clear why the sidewalk along the parking lot and access drives is so small. The promenade and an internal walkway between the playground and a presumed lawn area are wider. Similarly, the Staff is concerned that at both ends of the promenade, the plaza areas are immediately adjacent to parking spaces. This means that if those parking spaces are full, pedestrians will have to walk around the cars to get to the plaza and promenade.

Further, it is not clear to the Staff what the presumed lawn will be used for northeast of the playground. It is separated from the pool area with a fence and the access drive with some landscaping. Given its size and location, it is not clear what could be done in this space.

The Staff does find that the overall placement of the pool area and “promenade” creates a nice connection between the two parking area and an anchor to the park. Previously, the pool and pool house were awkwardly placed in this same location between the parking area, with a small inefficient parking lot, un-programmed and likely unused open space, and little relationship between the pool and pool house. The proposed site plan more efficiently uses the same space and “fills in” the area.

However, the Staff would note that there are significant differences between the rendered site plan and the actual site plan, including the size of the pool house, the presence of a pavilion within the pool area, the number of shade sails, and the location and amenities associated with the pool itself.

### Pool Area

The Staff finds that there is an extensive amount of pool deck space, which by itself isn’t a problem. However, it is concerned about the lack of shade (creating a lot of hot concrete in the summer) and areas for patrons to sit and relax. It is possible that movable umbrellas and chairs will be included in the final implementation. The Staff is not convinced that the shade sails will provide adequate screening from the sun.

### Splash Pad Area

The Staff is also concerned about the fence and landscaping between the regular pool and splash pad area, as well as the lack of seating and shade in the splash pad area. While the fence might be required for safety reasons, the Staff is concerned that this will make it difficult to keep track of children by care givers or parents when the children are located both areas.

### Pool House

The Staff finds that while the proposed pool house may be similar to the exiting recreation center (which is located across the southern parking lot from the pool / playground area), the Staff is concerned about the materials of the pool house which would appear to be variations on split face concrete block. The Staff understands the use of these materials for cost reasons, but finds they are a relatively poor substitute for stone, cast stone, or other more natural looking materials.

It is also not clear the visibility of the peace sign sculptural element within the pool house breezeway. The Staff thinks that it could be a powerful architectural element and as such should be made a more prominent element of the breezeway architecture.

In addition, the Staff would recommend the use of even more transom height windows into the restroom / changing areas to increase the natural light into rooms that are typically dark and small feeling.

**Staff Recommendation:** Staff recommends the Commission deliver its comments at the meeting.



## CITY OF ATLANTA

M. KASIM REED  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

JAMES SHELBY  
Commissioner

CHARLETTA WILSON JACKS  
Director, Office of Planning

### STAFF REPORT September 24, 2014

**Agenda Item:** Application for a Type II Certificate of Appropriateness (CA2-14-257) for alterations at **288 Milledge Avenue**– Property is zoned R-5/Grant Park Historic District (Subarea 1).

**Applicant:** Sheri Baker  
288 Milledge Avenue

**Facts:** According to the Grant Park Inventory sheet this existing dwelling built in 1903 is considered contributing.

**Analysis:** The following code sections apply to this application:

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (2) Certificates of Appropriateness.
- (B) Type III Certificates of Appropriateness shall be required for:
  - 1. All new principal structures;

Per Section 16-20K.007:

- (1) *Development Controls.*

(A) *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.

(B) *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven feet.

(C) *Rear Yard:* Rear yard setback shall be seven feet.  
shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.

- (2) *Architectural Standards.*

(A) *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural quality of the neighborhood and simultaneously encourages creativity.

Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

(B) *Design Standards and Criteria for New Principal Structures.*

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).

(D) *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:

1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

In the Grant Park Historic District, only changes that face a public street are reviewed by the Commission. As this is an interior lot, Staff will only make comments on the site and changes that face a public street.

### **Previous General Repairs Permit**

In 2013 the previous owner received a stop work order for doing work without the proper permits. After receiving a stop work order, the former owner came in and received a general repairs permit for repair of the porch ceiling only. The owner was informed that an additional review was required for the other work proposed. In comparing the pictures we have on file to the update pictures submitted by the current owner, we found the following changes have occurred without the approval of the Urban Design Commission and without the proper permits: exterior painting, new stairs, new stair railing, new columns, re-roofing, the chimneys have been faced with siding, the foundation has been faced with stucco, a rear deck has been added, a possible rear addition has been added and some of the windows may have been replaced.

Staff finds the current owner is responsible for addressing the above mentioned violations. Staff finds it likely that some of the work can be addressed through a general repairs permit, a Type II Staff review and a Type II Commission review. Additional information is needed to determine the appropriate process needed to address all the violations. Staff recommends the Applicant submit a site plan that indicates all existing conditions, additional pictures of all elevations with close up pictures of all the windows that face the front façade and a narrative that includes any information the current owner has regarding changes that have occurred in the last year. Once we receive the additional documentation, Staff recommends the Applicant submit an appropriate application to address all violations.

### **Current Proposal**

The Applicant is proposing to add a new porch railing. In looking at pictures, Staff finds that adding a porch railing is appropriate. The Applicant submitted elevations, however the drawings are not properly scaled and the details of the proposed porch railing are not clear. Staff recommends the Applicant submit properly scaled elevation that indicates the materials, design and height of the proposed railing. As Staff cannot determine the height of the foundation, Staff recommends a 30" rail



is installed unless a 36" rail is required by the safety code. Staff recommends the design of the proposed railing is consistent and compatible with historic railings on similar porches.

**Staff Recommendation:** Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type II Certificate of Appropriateness (CA2-14-257) for alterations at **288 Milledge Avenue**– Property is zoned R-5/Grant Park Historic District (Subarea 1), with the following conditions:

1. The Applicant shall submit a site plan that indicates all existing conditions, additional pictures of all elevations with close up pictures of all the windows that face the front façade and a narrative that includes any information the current owner has regarding changes that have occurred in the last year;
2. The Applicant shall submit an appropriate application to address all violations;
3. The Applicant shall submit a properly scaled elevation that indicates the materials, design and height of the proposed railing, per Section 16-20K.007(2)(D);
4. A 30" rail shall be installed unless a 36" rail is required by the safety code per Section 16-20K.007(2)(D);
5. The design of the proposed railing shall be consistent and compatible with historic railings on similar porches per Section 16-20K.007(2)(D); and
6. Staff shall review and if appropriate, approve the final plans.



## CITY OF ATLANTA

**M. KASIM REED**  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

**JAMES SHELBY**  
Commissioner

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

### **STAFF REPORT** **September 24, 2014**

**Agenda Item:** Review and Comment (RC-14-259) for site work and renovations at **530 Oliver Street (Lindsay Street Park)** – Property is zoned R4-A / Beltline.

**Applicant:** Matt Wilder, PLA, ASLA  
3500 Parkway Lane, Suite 6000, Norcross

**Facts:** The new Lindsay Street Park is located on the former site of 6 single family houses that were demolished to create the park land. The Commission previously reviewed and commented on the removal of the houses. Before the Commission at this time is the proposed park design, which includes a playground, concrete and mulched walking paths, lawn area, new landscaping, sensory garden, sensory garden sculpture, and overlooks.

The Staff would note that the context photographs included with the submission appear to have the references in the captions to Lindsay Street and Oliver Street reversed.

**Analysis:** The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.

The Staff generally agrees with the proposed park design. The space differentiates between types of uses / activities. The park is relatively open to Oliver Street, though there is extensive (but relatively low) landscaping in front of the playground area. The hardscape and landscape materials appear to be simple and easy to maintain. However, the Staff does have some comments and concerns.

First, the mulch path is located on a slope that even with what appears to be steps going down, could be prone to erosion and wash outs from rain.

Second, the mulch path leads to an overlook at the back of the developed portion of the park, but does not connect to Lindsay Street, creating a dead end. While it understands that connecting to

Lindsay Street would require spanning the creek, the Staff is concerned that without this connection to Lindsay Street, the overlook will be prone to misuse and lack of use. Further, taking the path all the way to Lindsay Street will allow a whole other portion of the neighborhood to have direct access to the park and particularly the playground.

Third, the rendered site plan shows a smaller overlook across the creek located off of Lindsay Street. It is not clear how this overlook will be accessed as there is not path to it.

Fourth, the Staff would recommend that standard City of Atlanta park benches, trash cans, and other street furniture be installed throughout the park, not just on one side of the playground area. The Staff would also recommend that some benches be located on the opposite side of the playground as the currently proposed ones to provide increased visibility for those watching the children on the playground. Also, it is not clear if there will be any lighting in the park and if so, will it be shielded from the immediately adjacent residential properties.

Fifth, the rendered site plan shows two small pools of water extending from the sensory garden to the creek along the north side of the mulched path. The landscape plans themselves do not show these pools and it is not clear how they will be formed given the slope down to the creek where they are located.

Lastly, the proposed sculpture in the sensory garden should be appropriate to the scale and context of the park, as well as included a plaque describing the sculpture.

---

**Staff Recommendation:** Staff recommends that the Commission confirm that it has delivered its comments at the Commission meeting on Review and Comment (RC-14-259) for site work and renovations at **530 Oliver Street (Lindsay Street Park)** – Property is zoned R4-A / Beltline.



## CITY OF ATLANTA

**M. KASIM REED**  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

**JAMES SHELBY**  
Commissioner

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

### STAFF REPORT

**September 24, 2014**

**Application:** Review and Comment (RC-14-260) on renovations to an existing park at 1690 Delowe Dr. (aka 2265 Campbellton Road) (Adams Park) - Property is zoned R-3.

**Applicant:** Matthew Wilder, PLA, ASLA  
3500 Parkway Lane, Suite 600, Norcross

**Facts:** The existing park is located in the Cascade Heights neighborhood, bordered by Venetian Drive to the North, Logan Lane to the South and Delowe Drive to the West. On January 26, 2011, the Commission reviewed and commented on (RC-11-005) on the National Register of Historic Places nomination for the Charles R. Adams Park. On June 12, 2013, the Commission reviewed and commented on (RC-13-147) that included:

- erosion control in the wooded picnic areas in the park;
- several drainage structures, a rain garden and landscaping;
- installation of a boardwalk around a portion of the lake, as well as a pedestrian bridge and a handicap accessible pathway that connects the boardwalk to the existing parking lot;
- a granite seat wall; and
- a new portion of concrete trail.

The current proposal before the Commission differs from the 2013 proposal as follows:

#### Picnic Area

- The complete demolition/ rebuilding of picnic table area, including tables and some grading (the picnic area was not shown on the 2013 plans);
- The removal of two very large trees near picnic table area (these two trees are not shown on earlier plans);

#### Logan Lake Area

- The boardwalk as two straight segments completely within the lake and connecting to a small island (2013 plans had a curved boardwalk at edge of lake with no connection to the island);
- There is a new, third section of boardwalk at the spillway end of the lake;
- There is a new walkway and concrete / granite stairs leading from the island bridge to a rebuilt walkway;

- There is an entirely new walkway from the island area leading to the picnic area; and
- There is a rebuilt / new stair between northern end of the lake and Logan Lane.

**Analysis:** The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

As noted in the 2013 Staff Report, the Staff is generally supportive of measures to minimize erosion, to increase general and ADA access to different portions of the park, and improve the quality of the facilities.

Regarding the revisions to the proposal around the picnic area, the Staff is concerned about the loss of the large trees currently shading the picnic tables. It is not clear from the submission if the health or condition of the tree supports its removal to eliminate a hazardous condition. Further, the Staff is concerned about the removal of all of the picnic tables, though it assumes that some type of picnic table configuration will be re-installed in that location. Also, the Staff is concerned about the use of mulch in a high traffic area such as a picnic area. The mulch is prone to wash away and mound based on foot traffic leaving some areas piled high with mulch and some areas bare with no mulch.

Regarding the work around the lake, the submission noted that the previous boardwalk design would have required the construction of seal wall around the entire eastern edge of the lake with significantly more disturbance to the lake itself. While the Staff finds that a boardwalk following the contours of the lake could have potentially provided a softer more “natural” appearance to the boardwalk, the current proposal of straight and angular boardwalks could be potentially more interesting and dramatic in their presence. Presuming the boardwalks will use the same materials and construction techniques outlined in the 2013 submission, the Staff has concerns about the materials and design.

Regarding the other revisions from the 2013 submission, the Staff finds that the materials and design are compatible with the park, presuming that any retaining walls or stair check walls are granite and all of the horizontal surfaces are either stone or poured concrete.

The Staff would also recommend that any new street furniture (benches, trash cans, lighting, etc.) either match what is already in the park or other nearby parks with a similar landscape and architectural context.

**Staff Recommendation:** Staff recommends the Commission deliver its comments at the meeting regarding Review and Comment (RC-14-260) on renovations to an existing park at 1690 Delowe Dr. (aka 2265 Campbellton Road) (Adams Park) - Property is zoned R-3.



## CITY OF ATLANTA

M. KASIM REED  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

JAMES SHELBY  
Commissioner

CHARLETTA WILSON JACKS  
Director, Office of Planning

### STAFF REPORT September 24, 2014

**Agenda Item:** Application for Type II Certificate of Appropriateness (CA2-14-261) for alterations and site work at **1320 Ponce De Leon Avenue** – Property is zoned Druid Hills Historic District.

**Applicant:** Dr. Dan Mashburn  
1320 Ponce De Leon Avenue

**Facts:** The address in question is part of the Adair Estate.

**Analysis:** The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code:

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(3) Landmark buildings and sites:

(b) To change the exterior appearance of any structure within any Landmark District;

Per Section 16-20B.003 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to the entire district which includes both (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale/Oakdale/Lullwater.. Any proposed development shall require a certificate of appropriateness from the urban design commission and shall conform to the following regulations:

(5) *Minimum architectural controls:* Any construction in the Druid Hills District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district.

Exterior architectural changes shall follow the standards set forth by the secretary of the interior. The secretary of the interior's standards for historic preservation projects are designed to assist individual property owners formulate plans for the development and continued use of historic properties. Separate guidelines are given for each of seven (7) treatments. (Refer to the Secretary of the Interior's Standards of Historic Preservation Projects.)

#### **The Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995, Standards for Rehabilitation**

REHABILITATION IS DEFINED AS the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

The Commission reviews alterations to any structure within the district, whether or not said alterations can be seen from the public right-of-way

Applicant is proposing to alter the existing patio by adding a roof and balcony. Staff finds the proposed roof design is compatible with the roof over the front entry area. While Staff finds the proposed alterations are generally appropriate, Staff has concerns regarding the roofing materials. While it is not unusual to see the use of a copper standing seam metal roof on houses in the district, Staff would note that this material is generally used for small coverings over doors or at the rear of the house. Staff finds this roof material is not appropriate for a roof of this size and in this location. Staff recommends the proposal feature a more appropriate roofing material.

Staff has a concern regarding the pitch of the roof. In most of the examples on the block, the roof on similar features is nearly flat. Staff finds a lower roof pitch would make the roof more consistent and compatible with the existing house and other similar houses. Staff recommends the proposal feature a roof with a lower roof pitch.

The elevations indicate a stained timber lintel. Staff finds a stained timber lintel is not consistent and compatible with similar features on the existing house. Staff recommends the proposed treatment of the lintel be consistent with the existing lintels on the house.

**Staff Recommendation:** Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends approval of the Application for Type II Certificate of Appropriateness (CA2-14-261) for alterations and site work at **1320 Ponce De Leon Avenue** – Property is zoned Druid Hills Historic District, with the following conditions:

1. The proposal shall feature a roof with a lower roof pitch, per Section 16-20B.003(5);
2. The proposal shall feature a more appropriate roofing material, per Section 16-20B.003(5);
3. The proposed treatment of the lintel shall be consistent with the existing lintels on the house, per Section 16-20B.003(5); and
4. Staff shall review and if appropriate, approve the final plans.



## CITY OF ATLANTA

**M. KASIM REED**  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

**JAMES SHELBY**  
Commissioner

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

### STAFF REPORT September 24, 2014

**Agenda Item:** Application for a Review and Comment (RC-14-262) for alterations, additions and demolition of an accessory structure at **82 Brighton Road** – Property is zoned R-4/ Brookwood Hills Conservation District.

**Applicant:** James Ferguson  
2120 Plasters Bridge Road

**Facts:** According to the Brookwood Hills Inventory, the single-family dwelling was built in 1927 and is considered contributing to the District. The Applicant proposes to:

1. Repair the existing clay tile roof;
2. Replace the “rustic”, wood clapboard siding in the front facing gable with faux half-timbering;
3. Demolish an existing garage; and
4. Add a two-story rear addition, with a one-story garage extension.

**Analysis:** The following code sections apply to this application:

Per Section 16-20.007(b) of the Atlanta Land Development Code, as amended:

Conservation Districts Exempted: Certificates of appropriateness are not required for Conservation Districts. However, no person shall construct, alter, demolish or move, in whole or in part, any building, structure or site located within a Conservation District until the Commission shall have reviewed the proposed action(s) and made written recommendations regarding any such action to the owner(s) of the property.

Sec. 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.



- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Brookwood Hills Conservation District does not have specific architectural regulations similar to the City's Historic or Landmark Districts; therefore the Commission should refer to the "Further Standards" included in Chapter 20 of the Zoning Ordinance, which apply to all locally designated districts and properties.

Repair the existing clay tile roof.

The Staff has no concerns about the repair of the clay tile roof. It would recommend, though, that all repairs or individual clay tile replacement be done in-kind to match the existing clay tile roof.

Replace the "rustic", wood clapboard siding in the front facing gable with faux half-timbering.

While the Staff finds that the proposed faux half-timbering is compatible with the architectural style of the house, it is concerned that the rustic wood clapboard siding that currently exists on the front gable could be original or historic to the house. It has an irregular bottom edge, suggesting a purposeful effort to make it look "rustic" and "old" to be compatible with the "Tudor" or "English Vernacular" style of the house. The Staff would recommend the Applicant investigate the origins of the wood clapboard and if original or historic to the house, retain and repair it in kind.

Demolish an existing garage.

Even though only one photograph was included in the submission showing the garage, the Staff finds that the garage appears to be original or historic to the property. The size and design of the garage door openings, as well as the otherwise simple design of the garage suggest a 1930s or 1940s construction time period. While the Staff understands that it would be difficult to have both the addition as proposed and the garage as existing on the site, it is nonetheless concerned about the potential loss of an original or historic element of the property. The Staff would note that if only the living space of the addition were added, the existing garage could be kept on the property and result in a reasonable configuration and layout to the rear yard area.

Add a two-story rear addition, with a one-story garage extension.

The existing rear of the house appears to have been previously added to on the first floor with an almost flat roofed extension on the right side. The sharply pitched, rear facing accent gable could also be an alteration, though it is hard to determine given the limited information included in the submission. The proposed addition would incorporate a series of gables and roof forms to create a two-part addition. Closer to the house is the two-story portion with a two-part gable. This connects to a much lower, hipped roof portion over the two-bay garage. The addition's tallest roof ridge is lower than the roof of the existing house and the addition is inset considerably from both sides, both of which minimize its visual and architectural impact on the existing house. The addition utilizes faux half-timbering, shingles, clay tiles, and casement windows to continue the materials and general architectural style of the existing house.

As such, the Staff finds that the proposed addition is compatible with the existing house.

**Staff Recommendation:** Staff recommends a letter with comments be sent to the Applicant regarding the application for a Review and Comment (RC-14-262) for alterations, additions and demolition of an accessory structure at **82 Brighton Road** – Property is zoned R-4/ Brookwood Hills Conservation District..



## CITY OF ATLANTA

M. KASIM REED  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

JAMES SHELBY  
Commissioner

CHARLETTA WILSON JACKS  
Director, Office of Planning

### STAFF REPORT

August 27, 2014

*Updated*

*September 10, 2014*

*(updated information is in italics)*

**Agenda Item:** Application for a *Type III Certificate of Appropriateness (CA3-14-256) to reduce the west side yard setback from 25' (required) to 14.5' (proposed)* and a Type II Certificate of Appropriateness (CA2-14-230) for alterations at **1505 Fairview Rd.** - Property is zoned Druid Hills Landmark District.

**Applicant:** Karen Soorikian  
219 Fairfield Road, Decatur

**Facts:** According to the architectural survey in 2002, this dwelling built in 1918 and is contributing.

**At the August 27<sup>th</sup> meeting, this application was deferred to allow the Applicant to submit a variance request.**

**Analysis:** The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code:

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(3) Landmark buildings and sites:

(b) To change the exterior appearance of any structure within any Landmark District;

Per Section 16-20B.003 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to the entire district which includes both (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale/Oakdale/Lullwater.. Any proposed development shall require a certificate of appropriateness from the urban design commission and shall conform to the following regulations:

(5) *Minimum architectural controls:* Any construction in the Druid Hills District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district.

Exterior architectural changes shall follow the standards set forth by the secretary of the interior. The secretary of the interior's standards for historic preservation projects are designed to assist individual property owners formulate plans for the development and continued use of historic properties. Separate guidelines are given for

each of seven (7) treatments. (Refer to the Secretary of the Interior's Standards of Historic Preservation Projects.)

**The Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995, Standards for Rehabilitation**

REHABILITATION IS DEFINED AS the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

**Sec. 16-20B.005. Fairview Road regulations.**

The following regulations shall apply to any proposed development on any property located on Fairview Road:

(2) *Minimum lot requirements:*

- a. *Lot width:* Each lot shall have a minimum lot width of 100 feet.
- b. *Lot area:* Each lot shall contain a minimum lot area of 18,000 square feet.

(5) *Minimum yard requirements:*

- a. *Setbacks:*
  6. South side, Oakdale road to east end of Fairview Road, NE:  
*Front yard:* 50 feet.  
*Side yards:* 25 feet.  
*Rear yards:* 100 feet.

**Site**

Per regulations, the side yard shall be no less than 25' and the rear yard shall be no less than 100'. The Applicant has not submitted a site plan, therefore Staff cannot determine whether the setback requirements have been met. Staff recommends the Applicant provide documentation the side and rear yard setback requirements have been met. As the proposed alteration does not increase the footprint, Staff finds that lot coverage is not an issue in this case. Staff would note there are no FAR requirements in this subarea.

***The Applicant has indicated the existing house is in violation of the setbacks and therefore a variance is required for the alterations proposed. In general, Staff finds that homeowners should be able to reasonably add to and alter an existing home. Staff finds the proposed alterations are appropriate and will not cause a detriment to the existing home or cause a substantial detriment to the public good. Staff finds that denial of the variance is a hardship because no alterations or additions can occur on the west elevation without approval of the variance. Based on the information we have at this time, Staff has no concerns regarding the proposed variance. Given Staff's comments regarding the variance request, Staff no longer has concerns regarding the proposed setbacks.***

The Commission reviews alterations to any structure within the district, whether or not said alterations can be seen from the public right-of-way

### **Alterations**

The Applicant is proposing to create a screened porch by extending the existing sun room roof and adding columns. The screened porch will be located over an existing garage. Staff finds the overall design, materials and location of the screened porch is appropriate. Staff finds the proposed alteration does not negatively impact the existing historic house. Staff has no concerns regarding the proposal.

***Staff Recommendation: Based upon the following:***

***a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20B.006.***

***Staff recommends approval of the Application for a Type III Certificate of Appropriateness(CA3-14-256) to reduce the west side yard setback from 25' (required) to 14.5' (proposed) at 1505 Fairview Rd. - Property is zoned Druid Hills Landmark District.***

**Staff Recommendation:** Based upon the following:

a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20B.006.

Staff recommends approval of the Application for Type II Certificate of Appropriateness (CA2-14-230) for alterations at **1505 Fairview Rd.** - Property is zoned Druid Hills Landmark District, with the following condition:

1. Staff shall review and if appropriate, approve the final plans.